

Form 1630
96

ROUTING AND TRANSMITTAL SLIP		Date
TO: (Name, office symbol, room number, building, Agency/Post)		Initials Date
1.	EO/DDA	
2.	ADDA	
3.		
4.	D/Logistics	
5.		
Action		Note and Return
Approval	File	Per Conversation
As Requested	For Clearance	Prepare Reply
Circulate	For Correction	See Me
Comment	For Your Information	Signature
Investigate	Justify	
Coordination		

REMARKS

4. For your action. Pls note that GSA has levied a 17 July 1981 deadline which cannot be extended.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
	Phone No.

EO/DDA

5041-102

☆ GPO : 1980 O - 311-156 (17)

OPTIONAL FORM 41 (Rev. 7-76)
Prescribed by GSA
FPMR (41 CFR) 101-11.206

UNCLASSIFIED

CONFIDENTIAL

SECRET

EXECUTIVE SECRETARIAT

Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI				
2	DDCI				
3	D/DCI/RM				
4	DD/NFA				
5	D/DCI/CT				
6	DD/A	✓			
7	DD/O				
8	DD/S&T				
9	GC				
10	LC				
11	IG				
12	Compt				
13	D/PA				
14	D/EEO				
15	D/PPPM				
16	AO/DCI				
17	PB/NSC				
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19					
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21					
22					
SUSPENSE		Date			

Remarks:

D/ Executive Secretary

Date

3637 (12-77)

STAT

MAY 26 1 16 PM '81

ER



81-7370

Date : MAY 22 1981
Reply to :
Attn of : Office of Space Management - PR

DD/A Registry

81-1110

Subject: District Court Order Regarding Submission of Employee Parking Fee Information

To : National Headquarters, All Federal Agencies

The attached notice outlines the procedure to be followed in complying with the May 7, 1981, order by Judge Harold H. Greene that certain information regarding the individuals assessed fees under the pay parking program be furnished to the General Services Administration (GSA). This information must be submitted to GSA by July 17, 1981, so that it can be transmitted to the plaintiffs in the case (American Federation of Government Employees AFL-CIO and National Treasury Employees Union, et al.) within the timeframe established by the court.

Your cooperation will be appreciated.

A. R. Marschall

A. R. MARSCHALL
Commissioner

Attachment

Agency Reporting Requirement Pursuant to
District Court Order Regarding Submission of
Employee Parking Fee Information

On March 20, 1981, Federal agencies and departments were advised that the collection of fees for parking spaces charged to Federal employees since November 1, 1979, pursuant to GSA Temporary Regulation D-65, was indefinitely suspended by order of the United States District Court for the District of Columbia. The court order which suspended the collection of parking fees by Federal agencies and departments was a result of a lawsuit brought by the American Federation of Government employees, AFL-CIO, and the National Treasury Employees Union against the Administrator of General Services. This court order was entered on March 3, 1981. The Government has appealed the District Court's decision.

The purpose of this notice is to advise all Federal agencies and departments that on May 7, 1981, the United States District Court approved an agreement between the Government and the plaintiffs in the above-mentioned lawsuit and entered an order based on that agreement which requires certain actions to be taken by the Government with respect to potential refunds of parking fees paid by Federal employees.

Unless the March 3, 1981, decision of the United States District Court is overturned on appeal, all Federal employees who have paid for Federal parking spaces since November 1, 1979, pursuant to GSA Temporary Regulation D-65, will receive repayment of such fees from the Government. No refunds are due until all appeals have been exhausted. The agreement, however, requires the Government to take certain actions now with regard to such potential refunds.

To comply with the agreement and the court order approving it, all Federal agencies and departments that have parking facilities to which GSA Temporary Regulation D-65 applies, must take the following actions:

1. The official responsible for the administrative control and assignment of spaces for each parking facility of the agency or department (hereinafter referred to as the facility parking manager) must furnish to the agency or departmental administrative office which oversees parking facilities the following information, and the agency or departmental administrative office must transmit this information to the General Services Administration not later than July 17, 1981: the name of each Federal employee or former employee^{1/} who paid for the parking at the facility since November 1, 1979;

^{1/} Employee Claims Form and a suggested reporting format with instructions are attached for your use. With respect to carpools, in most instances since the primary carpool member remitted the monthly parking fee, it will be necessary for only that individual to submit a Claim Form. However, in those cases where other carpool members paid the fee for one or more months, these individuals must also submit a claim for the period for which they paid. In no event should carpool members submit claims covering the same period of time.

the rate used to charge for such parking space; and the total amount paid by that person since November 1, 1979, exclusive of any "management fee" portion of such payments.^{2/}

In determining the persons who paid and the amounts paid, the facility parking managers are to utilize the records kept by the agency or department as well as any Claim Forms submitted by current or former employees who parked and paid during the applicable period.^{3/} The facility parking managers must review all records and Claim Forms and resolve any conflicts in order to certify the actual amount paid by each person who parked during the period. In all cases where the amount paid is not the same in both the agency's records and the Claim Form, a notation of the facility parking manager's belief as to the correct amount should be provided to GSA with the individual's claim expressed as a bracketed amount. The facility managers should also maintain mailing addresses for the claimants.

2. Each agency and department should post the attached Notice at all parking areas to which GSA Temporary Regulation D-65 applies and shall supply each facility parking manager with sufficient copies of the Notice and its Claim Form for that person to provide copies to each person who currently parks at the facility and to all those who no longer do so but who had parked at the facility after November 1, 1979. Additionally, each agency or department must publish the attached Notice in its newsletter and must permit both the American Federation of Government Employees and the National Treasury Employees Union to post copies of the attached Notice in all cafeterias and on all official agency or departmental bulletin boards.

3. To the maximum extent possible, facility parking managers will provide a copy of the attached Notice with its Claim Form to each and every employee who currently holds a parking permit for the facility and will obtain from each a written receipt for such Notice.

4. Facility parking managers will also collect any Claim Forms submitted by those who currently park or those who formerly parked at the facility and will utilize such forms, along with the agency's own records, in providing the agency or departmental administrative office with the information specified in paragraph 1 above. While no one may be forced to turn in an executed Claim Form, facility parking managers should encourage all those who paid for parking spaces under GSA Temporary Regulation D-65 since November 1, 1979, to execute and submit such a form.

^{2/} "Management fees" are those fees or portions of fees which are or were used to pay attendants at parking lots in order to permit "stacked" or "gang" parking so that vehicle capacity in such lots would be increased. The collection of management fees may be continued.

^{3/} Each agency and department is responsible to maintain and preserve their parking fee records, including any Claim Forms submitted by employees or former employees.

3

The information required to be submitted to GSA pursuant to paragraph 1 above should be submitted only by agency or departmental administrative offices. It must be submitted to the General Services Administration not later than July 17, 1981. Therefore, facility parking managers should submit the information directly to their agency or departmental administrative offices well prior to that date. Agency or departmental administrative offices should forward the information to the following individual at GSA:

Paul H. Herndon III
Director, Space Management Division
Room 2318
General Services Administration Building
18th & F Streets, NW
Washington, DC 20405

It must be emphasized that the actions specified above are required to be done by each agency and department pursuant to a court order. THEREFORE, NO EXTENSIONS OF TIME CAN BE CONSIDERED! Information must be forwarded to the General Services Administration not later than July 17, 1981, and all actions should be undertaken immediately. Your cooperation will be greatly appreciated.

(AGENCY)
EMPLOYEE PARKING CLAIMS

Agency Contact _____

Telephone _____

Building Identification1/ (Bldg. Name, State & City)	Name of Employee2/ (Alphabetical order, Last name, first name, middle initial)	Amount Claimed3/
FB CT Birmingham, Alabama	Doe, John J. Public, John Q.	\$ XX.00 XX.00
FACILITY TOTALS	# Employees	\$ XXX.00

XYZ Building Birmingham, Alabama	Name Name	\$ XX.00 XX.00
FACILITY TOTALS	# Employees	\$ XXX.00

FB CT Montgomery, Alabama	Name Name	\$ XX.00 XX.00
FACILITY TOTALS	# Employees	\$ XXX.00

FB CT Anchorage, Alaska	Name Name	\$ XX.00 XX.00
FACILITY TOTALS	# Employees	\$ XXX.00

AGENCY TOTALS # Facilities	# Employees	\$X,XXX.00

1/ Facilities are to be listed alphabetically by State and City.

2/ In most instances, since the primary carpool member remitted the monthly parking fee, it will be necessary for only that individual to submit a claim form. However, in those cases where other carpool members paid the fee for one or more months, these individuals must also submit a claim for the period for which they paid. In no event should carpool members submit claims covering the same period of time.

3/ The amount claimed is the gross parking fee paid less any amount allocable to the cost of management services contracts. The amount claimed will be calculated as follows:

Gross Monthly Fee	minus	Monthly Management Fee (if applicable)	equals	Monthly Claim	times	Number of Months Claimed	equals	Total Amount Claimed
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PARKING FEE NOTICE

The purpose of this notice is to advise you that the fees for parking spaces which had been charged to Federal employees parking since November 1, 1979, pursuant to GSA Temporary Regulation D-65, were indefinitely suspended by order of the U.S. District Court for the District of Columbia. The Court Order suspending the collection of parking fees resulted from the lawsuit of American Federation of Government Employees AFL-CIO, et al. and National Treasury Employees Union et al. v. Freeman, Civil Action No. 79-2955 (Order dated March 3, 1981).

The lawsuit mentioned above remains pending and is being appealed to a higher court by the Government. Unless the decision of the District Court finding the paid parking plan to be illegal is overturned on appeal, all federal employees who have paid for parking spaces since November 1, 1979 pursuant to GSA Temporary Regulation D-65 will receive repayment for such fees from the Government. If you believe you may be qualified for such a repayment of fees for parking spaces which you incurred since November 1, 1979, please complete the second part of this form (Claim Form), to make it easier to compute the monies owed to you, and please retain all records which evidence that you are entitled to a refund.

Should the Government prevail on appeal in this case, it is possible that it may seek to collect back fees for the period that the injunction was in effect. In this regard, you should be aware that the rates for parking fees may increase significantly on October 1, 1981.

I hereby certify that I have received the foregoing Notice on _____ day of _____, 1981.

Name

Residential Address

Phone

Business Address

Phone

Signature

